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Order

The application is granted. I appreciate the wisdom of the Supreme Court's observation in Hensley. Nevertheless, I believe that the process of expeditiously resolving the application will be furthered by additional briefing specifically responding to the Swift/Dubbin's objections.

s/ Judge Edward R. Korman
USDJ
1/23/06

January 20, 2006

Hon. Edward R.Korman
Chief Judge
United States District Court
for the Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *In re Holocaust Victims Assets Litigation*
Civ. 96-4849 (ERK)

Dear Judge Korman:

I will be representing Prof. Burt Neuborne in connection with his application for an award of attorneys' fees in the above-referenced litigation. As the Court is aware, Prof. Neuborne filed a fee application on December 19, 2005 and an opposition was filed by Robert Swift on December 29, 2005. In addition, a request for a copy of the documentation was filed by Samuel Dubbin on January 11, 2006.

The purpose of this letter is to ask for a two-week period to file additional documentary material in support of Professor Neuborne's application, responding to some of the issues raised by Mr. Swift. We have waited in anticipation of further submissions by Mr. Dubbin, but nothing more has been received and we are prepared to file the supplemental supporting materials by February 3, 2006.

In this case, the Court is exquisitely aware of the history of this case and of the work performed by various counsel. We are mindful of the Supreme Court's admonition that "a request for attorneys's fees should not result in a second major litigation." *Hensley v. Eckerhart,* 461 U.S. 424, 437 (1983). Accordingly, we will forego any additional briefing and limit ourselves only to supplementing the factual record on some of the disputed claims.

On behalf of Professor Neuborne, I would request that the Court set this matter for a hearing at its earliest convenience. Although we believe that the documentary evidence is a sufficient basis for disposition of the fee request, the nature of this case as a very public class action would appear to necessitate at least a hearing for objections to be raised.

D + 7

Finally, I would ask the Court to accept submission of this letter while my application for pro have vice status in this matter is pending. I am not a member of the bar of this Court and am awaiting delivery of a certificate of good standing from the Texas State Bar so as to bring my application into conformity with local rules.

Sincerely,

Samuel Issacharoff

cc: Samuel J. Dubbin, P.A.
Robert A. Swift